



WEB COPY



W.P.No.45334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

C O R A M

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

W.P.No.45334 of 2025  
and W.M.P.No.50488 of 2025

D.Tamizhselvan

... Petitioner

Vs

1.The Chief Secretary to Government,  
Tamil Nadu Government,  
Secretariat, Chennai-9.

2.The Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Secretariat, Chennai-9.

3.The Secretary to Government,  
Human Resources Development Department,  
Secretariat, Chennai-9.

4.S.Selvakumar

5.S.Anandaraja

6.M.Pondos

7.P.Ilanchezhian

... Respondents

**PRAYER** : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the entire records relating to the order G.O (Ms) No.22, Adi Dravidar and Tribal welfare (ADW-6) Department, dated 20.02.2025 passed by the 2<sup>nd</sup> Respondent herein and to quash the same and consequently direct the 2<sup>nd</sup> Respondent to consider the name of the petitioner as Member in future selection and recruiting to the Tamil nadu State Commission for Scheduled Castes and Scheduled Tribes.



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For Petitioner : Mr.M.Kempuraj

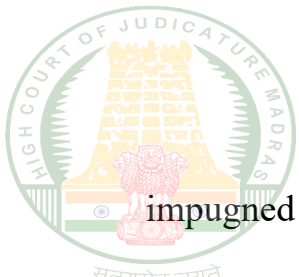
For Respondents : Mrs.S.Anitha,  
Special Government Pleader for RR-1 to 3

### **ORDER**

Assailing the G.O (Ms) No.22, Adi Dravidar and Tribal welfare (ADW-6) Department, dated 20.02.2025 passed by the 2<sup>nd</sup> Respondent, the present Writ Petition has been filed seeking a consequential prayer to direct the 2<sup>nd</sup> Respondent to consider the name of the petitioner as Member in future selection and recruiting to the Tamil Nadu State Commission for Scheduled Castes and Scheduled Tribes.

2. Mrs.S.Anitha, learned Special Government Pleader takes notice on behalf of respondents 1 to 3. As no adverse order is being passed against the respondents 5 to 7, notice to respondents 5 to 7 is dispensed with.

3. It is the case of the petitioner that, on the basis of the press release dated issued 09.12.2024 by the 2<sup>nd</sup> respondent on behalf of the Tamil Nadu State Commission for Scheduled Castes and Scheduled Tribes, the petitioner had sent representations dated 28.09.2024 and 30.10.2024 to the 2<sup>nd</sup> respondent seeking to appoint him as the member of the Tamil Nadu State Commission for Scheduled Castes and Scheduled Tribes. However, without considering the said representation, the 2<sup>nd</sup> respondent had appointed respondents 4 to 7 vide



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impugned G.O.Ms.No.22, Adi dravidar and tribal Welfare (ADW-6) department

dated 20.02.2025. Aggrieved by which, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

4. Learned counsel appearing for the petitioners submitted that the impugned G.O.Ms.No.22 dated 20.02.2025 is wholly arbitrary and illegal as the same is contrary to the provisions of the Tamil Nadu Scheduled Castes and Scheduled Tribes Act, 2021 and that, the selection to the post of members of the Commission ought to have been made on the region wise classification so as to effectively redress the grievances of the persons belonging to such regions, however, in the present case, none of the members who have been appointed represent certain districts of the State. On the sole ground, the present impugned order is liable to be quashed.

5. Per Contra, learned Special Government Pleader appearing for respondents 1 to 3 submitted that the selection to the post of members was made strictly in accordance with the Scheduled Castes and Scheduled Tribes Act, 2021. He further submitted that there is not even a single provision in the said Act providing for region-wise classification and therefore, the G.O impugned herein cannot be found fault with. Accordingly, he prayed for dismissal of the Writ Petition.



6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. It is the specific case of the petitioner that the G.O impugned herein is in derogation to the provisions of the Scheduled Castes and Scheduled Tribes Act, 2021 inasmuch as the selection was not made on the basis of region-wise classification which was the basis for rejection of his candidature. For better appreciation, relevant portion of the said Act is extracted hereunder:

*“(2) The Commission shall consist of*

*(i) the following Members to be nominated by the Government, namely:-*

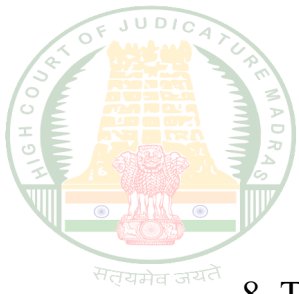
*(a) the Chairperson, who shall be a retired Judge of the High Court belonging to any of the Scheduled Castes or Scheduled Tribes and has special knowledge in matters relating to the Scheduled Castes and Scheduled Tribes;*

*(b) the Vice-Chairperson, who shall be a prominent person belonging to any of the Scheduled Castes or Scheduled Tribes, who was worked for the welfare of the Scheduled Castes and Scheduled Tribes;*

*(c) five Members, of which, three Members shall belong to any of the Scheduled Castes, one shall belong to any of the Scheduled Tribes and one shall be a prominent person having special knowledge in matters relating to the Scheduled Castes and Scheduled Tribes:*

*Provided that one of the Members shall be a woman;  
and*

*(ii) a Member-Secretary, to be appointed by the Government from amongst the officers of the Indian Administrative Service, not below the rank of Additional Secretary to Government”*



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8. The main grievance espoused by the petitioner is that the members who have been appointed are from southern region of the state whereas, the petitioner belongs to the northern region which according to the petitioner was the ground for rejection of his candidature. However, the Act does not provide for any such region-wise classification and it only prescribes the eligibility criteria to be possessed by the persons concerned. Hence, the grievance of the petitioner is wholly misconceived and accordingly, the Writ Petition deserves to be dismissed.

9. For the reasons aforesaid, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

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Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs



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**M.DHANDAPANI, J**

Nhs

To

1.The Chief Secretary to Government,  
Tamil Nadu Government,  
Secretariat, Chennai-9.

2.The Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
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